

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FAUSTINO PUJOLS AND RUSS DECKLER,

USDC SDNY
DOCUMENT
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DATE FILED: <u>11/21/2022</u>

Plaintiff,

ORDER OF DISMISSAL

-against-

22-CV-05455 (KHP)

RTS SOLUTIONZ, INC a/k/a SOLUTIONZ,
INC. and as successor to *Real Time Services, Inc.*,
BILL WARNICK, and KIRK R. FERNANDEZ.,

Defendants.

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KATHARINE H. PARKER, UNITED STATES MAGISTRATE JUDGE

In this action under the Fair Labor Standards Act, which is before this Court on the consent of the parties pursuant to 28 U.S.C. § 636(c), the parties, having reached an agreement between Plaintiff Russ Deckler and Defendants in principle to resolve the action, have placed their proposed settlement agreement before this Court for approval. *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 1999 (2d Cir. 2015) (requiring judicial fairness review of FLSA settlements). Plaintiff has also submitted a letter detailing why they believe the proposed settlement agreement is fair, reasonable, and adequate. (ECF No. 27.) This Court has reviewed Plaintiff's submissions to determine whether the proposed agreement represents a reasonable compromise of the claims asserted in this action, and, in light of the totality of the relevant circumstances, including the representations made in Plaintiff's letter and the terms of the proposed settlement agreement it is hereby ORDERED that:

1. The Court finds that the terms of the proposed settlement agreement are fair, reasonable, and adequate, both to redress Plaintiff's claims in this action and to compensate Plaintiff's counsel for their legal fees, and the agreement is therefore approved.

2. As a result of the Court's approval of the parties' proposed settlement, this action is hereby discontinued with prejudice and without costs as to Plaintiff Russ Deckler only.
3. The Clerk of Court is directed to close this case on the Docket of the Court as to Plaintiff Deckler only.

SO ORDERED.

Dated: November 21, 2022
New York, New York



KATHARINE H. PARKER
United States Magistrate Judge